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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**
12 **SACRAMENTO DIVISION**

13 IAN CLAIR MACDOWELL, } Case No.: 2:21-cv-00729-AC
14 Plaintiff, } STIPULATION FOR AN EXTENSION OF
15 vs. } TIME; [PROPOSED] ORDER
16 KILOLO KIJAKAZI, }
17 Acting Commissioner of Social Security, }
18 Defendant. }

19
20 IT IS HEREBY STIPULATED, by and between the parties, through their respective
21 counsel of record, that the time for Defendant to respond to Plaintiff's opening brief be extended
22 thirty (30) days from October 14, 2022 up to and including November 14, 2022. This is the
23 Defendant's second request for an extension; in addition to Defendant's prior 30-day extension
24 for briefing (Doc. 18-19), this case was previously stayed (Doc. 4) and Plaintiff's briefing
25 deadline extended pursuant to the Court's order, following stipulation of the parties (Doc. 14-
26 15).

27 There is good cause for this extension. Defendant has been diligently working this case,
28 as it was initially part of a pre-answer project to review over 200 of the Commissioner's stayed

1 cases for policy compliance, so that the Commissioner could identify cases for early settlement.
2 Plaintiff filed his opening brief on August 1, 2022, after a stipulated extension of 15 days (Doc.
3 15, 16). Thereafter, the undersigned was assigned this matter for briefing (Doc. 17).

4 Counsel for Defendant requested that this matter be re-assigned to another attorney in
5 light of a planned absence for travel to and from Washington, D.C. pursuant to military orders
6 and due to ongoing high workloads following the Commissioner's filing numerous
7 administrative records in this jurisdiction between April and June 2022. However, no substitute
8 attorney could be identified. In addition, the undersigned counsel is ill and expected to be unable
9 to complete the brief in this matter on or before the current deadline.

10 No unnecessary delay is intended, but rather, the Commissioner seeks time to adequately
11 evaluate this case.

12 Respectfully submitted,

13 Dated: October 11, 2022

/s/ Robert Weems*
ROBERT WEEMS
Attorney for Plaintiff
(*signature authorized via e-mail Oct. 11, 2022)

16 Dated: October 11, 2022

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Social Security Administration

20 By: /s/ Ellinor R. Coder
21 ELLINOR R. CODER
22 Special Assistant U.S. Attorney
23 Attorneys for Defendant

ORDER

Pursuant to the parties' stipulation, and for good cause shown, IT IS SO ORDERED that Defendant shall have an extension, up to and including November 14, 2022, to file a response to Plaintiff's opening brief.

DATED: October 11, 2022

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE